



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

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OFFICE OF
ECOSYSTEMS, TRIBAL AND
PUBLIC AFFAIRS

July 13, 2015

Federal Emergency Management Agency
c/o Mark Eberlein, Regional Environmental Officer
130 – 228th Street SW
Bothell, Washington 98021

Dear Mr. Eberlein:

We have reviewed the Federal Emergency Management Agency's May 2015 Draft Environmental Impact Statement (DEIS) for the Southern Flow Corridor Project, Tillamook County, Oregon (EPA Region 10 Project Number: 14-0023-FEM).

Our review was conducted in accordance with the EPA's responsibilities under the National Environmental Policy Act and Section 309 of the Clean Air Act. Section 309 specifically directs the EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Our review of the DEIS prepared for the proposed action considers expected environmental impacts and the adequacy of the EIS in meeting procedural and public disclosure requirements of the NEPA.

We are rating the DEIS Lack of Objections (LO). A copy of our rating system is enclosed.

Project summary

The Southern Flow Corridor Project DEIS evaluates the environmental effects that could occur if activities to reduce flood damage and restore Coastal Coho habitat in the Tillamook Bay estuary are implemented. The Proposed Action would remove approximately 6.9 miles of levees, modify 2.9 miles and construct 1.4 miles of new setback levees, and restore tidal wetlands on 522 acres.

The EPA supports this project

We support this project because restoring approximately 522 acres of tidal wetlands and associated fish and wildlife habitat would have major, long-term beneficial effects on wildlife and threatened and endangered species, including the threatened Coastal Coho salmon. In addition, the Proposed Action would reduce flooding during small flood events, as well as the 100-year flood.

As stated in our 2014 scoping comments, we support actions that restore natural processes, especially where there may be a dual benefit such as flood risk reduction. And, we reiterate our position that emphasis on achieving both flood risk reduction and environmental benefits is consistent with federal agencies', including FEMA's, responsibilities to the Tillamook Bay Comprehensive Management Plan (CCMP); which the EPA has approved under the Federal Clean Water Act.

Adaptive management

Our scoping comments included a recommendation for the DEIS to include a "...detailed draft monitoring and adaptive management plan..." We noted and continue to believe that the January, 2014 Southern Flow Corridor Effectiveness Monitoring Plan is a useful start, especially for establishing baseline information and monitoring planning. The DEIS's indication that "The County and POTB (Port of Tillamook Bay) would develop a maintenance and monitoring plan as a condition of their grants that will include performance standards and adaptive management components for vegetation"¹ and is partially responsive to our interest in ensuring that adaptive management supports the accomplishment of project goals.

Moving forward, we recommend that the Final Environmental Impact Statement (FEIS) include additional information on adaptive management. In particular, we suggest that the FEIS identify: (i) likely topics and/or concepts for key performance standards, (ii) related potential management responses, and (iii) responsible parties.

Additional effort on adaptive management is appropriate because, as the Hydraulic Modeling Peer Review Report usefully observes, "The project area is located within an unusually complex hydrologic and hydraulic system. Even with substantial effort to collect data and construct analytical and simulation tools that represent that system, uncertainty exists about how it performs under current conditions and how it may perform under action alternatives."² In addition to complex hydrology, there are also social and economic risks to achieving project goals. For example, project funding would come from numerous sources, including: FEMA, National Oceanic and Atmospheric Administration, U.S. Fish and Wildlife Service, State of Oregon, Oregon Watershed Enhancement Board, Tillamook County, and other public and private entities. Given the number of physical, social and economic factors relating to project success, we believe the Final EIS can add value to the process by identifying the highest priority performance standards, related management responses, and responsible parties.

Significance criteria

Our scoping comments included a suggestion to utilize project-specific significance criteria because we believe this style of disclosure can be an effective strategy for meeting the intent of 40 CFR Part 1502.1. We would like to highlight our appreciation for this DEIS's inclusion of thresholds of significance. Overall the DEIS's thresholds are appropriate for this project and help to sharply define the issues. For example, the DEIS clearly discloses that the No Action Alternative would result in significant adverse impacts to floodplains, wetlands, hydrology, water quality, fish and wildlife, threatened and endangered species and critical habitat, coastal resources, hazardous materials, economics, public health and safety, visual quality, and recreation. In contrast, the Proposed Action reduces impacts to these resources to a level where they would be less than significant. This contrast between No Action and the Proposed Action helps decision makers and the public understand the degree to which the Proposed Action is environmentally preferable.

¹ DEIS, p. 4-40 and elsewhere

² DEIS, Appendix E, p. 6-14

Thank you for this opportunity to comment and if you have any questions please contact me at (206) 553-1601 or by electronic mail at reichgott.christine@epa.gov, or you may contact Erik Peterson of my staff at (206) 553-6382 or by electronic mail at peterston.erik@epa.gov.

Sincerely,



Christine B. Reichgott, Manager
Environmental Review and Sediment Management Unit

Enclosure:

1. U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

**U.S. Environmental Protection Agency Rating System for
Draft Environmental Impact Statements
Definitions and Follow-Up Action***

Environmental Impact of the Action

LO – Lack of Objections

The U.S. Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC – Environmental Concerns

EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO – Environmental Objections

EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU – Environmentally Unsatisfactory

EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 – Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 – Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 – Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.